

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:20-cv-00220-MR**

**RANDY W. BARKLEY, Individually
and as the Executor of the Estate of
Rita W. Barkley, Deceased,**

Plaintiff,

vs.

**4520 CORP., INC., Individually and
as Successor-in-Interest to
Benjamin F. Shaw Company, et al.,**

Defendants.

ORDER

THIS MATTER is before the Court on the Defendant Union Carbide Corporation's Motion for Summary Judgment [Doc. 295] and the parties' Joint Motion to Dismiss [Doc. 388].


Upon review of the parties' motion,

IT IS, THEREFORE, ORDERED that the parties' Joint Motion to Dismiss [Doc. 388] is **GRANTED**, and all the Plaintiff's claims against the Defendant Union Carbide Corporation are hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the Defendant Union Carbide Corporation's Motion for Summary Judgment [Doc. 295] is **DENIED AS MOOT.**

IT IS SO ORDERED.

Signed: January 3, 2022



Martin Reidinger
Chief United States District Judge

